

Policy and Procedure	Date Issued 1/1/2010	Section Provider Network	Policy Number QA-2	Page 1
Milwaukee County Behavioral Health Division SAIL	Date Revised	Subject: Client Complaint and Grievance Procedure for the Community Services Branch		

1. POLICY:

This policy and procedure is an adjunct to the Milwaukee County Behavioral Health Division (MCBHD) Patient Grievance Resolution Policy and Procedure No. 121 MCBHD #109 "G," revised 4/25/08.

PURPOSE: The purpose of the Client Complaint and Grievance Procedure is to ensure the correct investigation, processing and tracking of the complaints and/or grievances filed against Providers of the Community Services Branch. It is expected that all Contracted Providers, and Providers with a Fee for Service Agreement in place with MCBHD, will follow the procedures as established in this document, and will also adhere to the MCBHD Patient Grievance Resolution Policy and Procedure.

CLIENT RIGHTS COMMITTEE: The Community Services Branch (CSB) Client Rights Committee is responsible for ensuring that the requirements of s. 51.61, Stats., State Alcohol, Drug Abuse, Developmental Disabilities and Mental Health Act, and s. DHS 94, Patient Rights and Resolution of Patient Grievances are met for the complaints and grievances that are filed against both CSB operated, contract, and Fee for Service Agreement agencies. The CSB Patient Rights Committee is responsible for identifying concerns related to client rights issues, and for advising CSB administration of these issues and concerns as needed.

2. PROCEDURE:

A. It is required that all Providers who have a Contract or Fee for Service Agreement with Milwaukee County Behavioral Health Division, Service Access to Independent Living Program to provide services to persons because of mental illness, a developmental disability, alcoholism or drug dependency, shall have a grievance resolution system in place, which complies with the requirements set forth in Wisconsin Statute s.51.61 and the administrative rules found in s. DHS 94, Patient Rights and Resolution of Patient Grievances, and s. DHS 92, Confidentiality of Treatment Records.

Each Provider is required to:

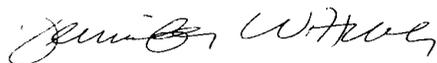
1. Develop written policies and/or procedures that offer clients, and persons acting on behalf of clients, the option of seeking an informal resolution to their concerns.
2. Develop written policies and/or procedures for the formal resolution of grievances, which would include:
 - a. Preparing of reports that include factual findings,
 - b. Making determinations of merit and recommendations for resolving grievances,
 - c. Completing the review process within the time limits expressed in s. DHS 94,
 - d. Maintaining impartiality in the conduct of the inquiry, and
 - e. Permitting both clients and staff an equal opportunity to be heard during the process.
3. Develop written policies and/or procedures to ensure that all clients are informed, both verbally and in writing, regarding both the informal and formal procedures by which they may seek resolution to their complaints or grievances.
4. Identify at least one staff person who will act as the Client Rights Specialist, and ensure that person is properly trained in the resolution of concerns and grievances, and the applicable provisions of ch. 51, State., ch. DHS 92 and ch. DHS 94.
5. Post the appropriate State of Wisconsin Client Rights poster conspicuously in each patient area. Copies of patient rights shall be posted conspicuously in each patient area,

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and shall be available to the patient's guardian and immediate family as identified in ch 51.61(2)(a).

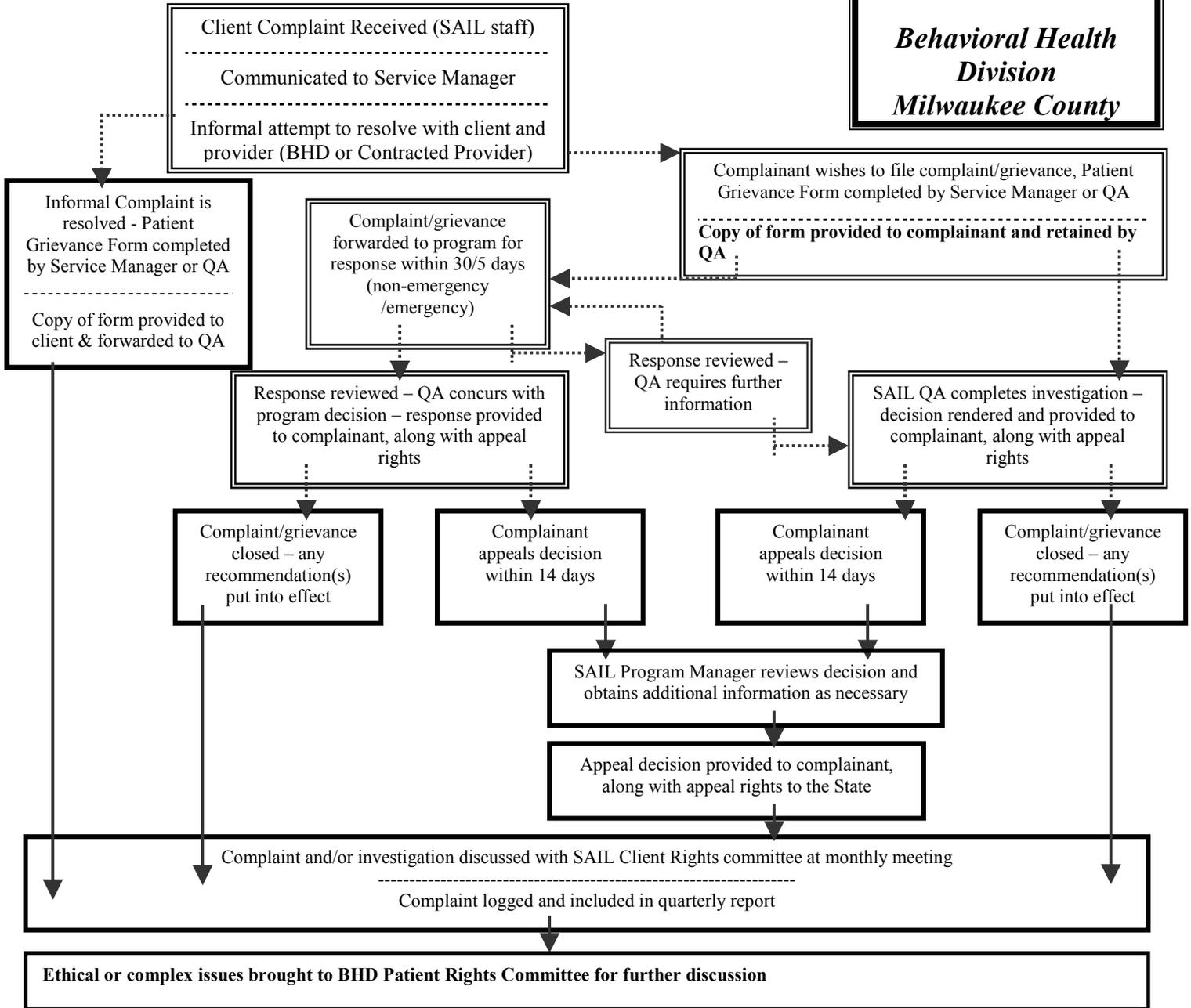
6. Develop written policies and/or procedures that ensure that staff is informed of the rights of the clients they serve, and receive proper training in the informal and formal resolution of client complaints and grievances.
 7. Develop written policies and/or procedures which provide for the protection of clients who do wish to file a grievance, and indicate that no sanctions will be threatened or imposed against any client who does file a grievance.
- B. Clients maintain the right to bypass the complaint/grievance resolution process of any Provider, and may file a formal grievance directly with the Milwaukee County Behavioral Health Division, the State of Wisconsin, or other such state or federal entity as is appropriate depending on the nature of the grievance.
- C. Providers are expected to cooperate with all investigations conducted by Milwaukee County staff for the purposes of resolution of client concerns, and may be asked to comply with unannounced site visits, review of client or agency records, or to provide written reports to Milwaukee County which detail the measures taken by the agency in an attempt to resolve a client's concern. All Providers are required to have at least one staff member designated as the agency's Client Rights Specialist for the purposes of client complaint/grievance resolution, and are expected to communicate this information with Milwaukee County.

Reviewed & Approved by:



**Jennifer Wittwer, Associate Director
Adult Community Services Branch**

Client Complaint / Grievance Process



- SAIL Client Rights Quality Assurance Committee meets on a monthly basis to discuss all complaints
- Committee produces a quarterly report, and provides copies of report to Service Managers and Program Manager in SAIL
- Processing of both complaints and grievances follow the same process – timeline requirements MUST be adhered to with regards to grievances (a grievance is defined as an allegation of a violation of client rights)
- This process is in addition to the Complaint/Grievance Policy/Procedure established within each agency including the designation of a Client Rights Specialist – contracted, Fee for Service, or BHD operated